

genzyme

Legal

FAX

DATE: 4/22/04  
TO: Examiner Karen Canella  
COMPANY: USPTO  
FAX: 703-872-9306

FROM: Elizabeth Lassen  
E-MAIL: elizabeth.lassen@genzyme.com  
PHONE: 508-270-2553  
FAX: 508-872-5415

NO. OF PP (inc. cover):

20

Dear Examiner Canella:

Further to your voicemail message, enclosed find the response to the September 10, 2003 non-final Office Action as filed on March 10, 2004. If you have any further questions, please do not hesitate to contact me.

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Thank you

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PLEASE ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

A Transmittal; Fee Transmittal (in duplicate); Response to non-final Office Action mailed September 10, 2003 from the USPTO (11 pages); Petition for Extension of Time (in duplicate); unexecuted Declaration and Power of Attorney (4 sheets) all including Certificates of First-class Mailing Labels.



APPLICANT:  
APPLICATION NO:  
FILING DATE:  
TITLE:

ROBERTS et al.  
09/826,609  
April 5, 2001  
GENES DIFFERENTIALLY EXPRESSED IN  
CANCER CELLS TO DESIGN CANCER  
VACCINES

EL/tla

GA0150C

03/10/04

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/826,609	
	Filing Date	April 5, 2001	
	First Named Inventor	ROBERTS et al.	
	Group Art Unit	1642	
	Examiner Name	Karen A. Canella	
Total Number of Pages in This Submission	20	Attorney Docket Number	GA0150C

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached (in dup.) <input checked="" type="checkbox"/> Amendment / Response (11 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (in dup.) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Unexecuted Declaration and Power of Attorney Form (4 sheets); and return postcard</b>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Elizabeth Lassen Genzyme Corporation 15 Pleasant Street Connector P.O. Box 9322 Framingham, Massachusetts 01707-9322
Signature	<i>Elizabeth Lassen</i>
Date	March 10, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: March 10, 2004			
Typed or printed name	TARYN ANTALEK		
Signature	<i>Taryn Antalek</i>	Date	3-10-2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 950.00)**Complete if Known**

Application Number	09/826,609
Filing Date	April 5, 2001
First Named Inventor	ROBERTS et al.
Examiner Name	Karen A. Canella
Art Unit	1642
Attorney Docket No.	GA0150C

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

07-1074

GENZYME CORPORATION

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s).☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$)</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	=
Multiple Dependent	-3** =	X	=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 280	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$)

\*\*or number previously paid, if greater. For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 60	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1063 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	950.00
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 950.00)**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Elizabeth Lassen	Registration No. (Attorney/Agent)	31,845	Telephone	508-270-2553
Signature	<i>Elizabeth Lassen</i>	Date	3/10/04		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patent  
Our Docket: GA0150C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Roberts et al.

Serial No.: 09/826,609

Filed: April 5, 2001

For: GENES DIFFERENTIALLY  
EXPRESSED IN CANCER CELLS TO  
DESIGN CANCER VACCINES

) Art Unit: 1642

) Examiner: Karen A. Canella

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450

March 10, 2004  
Date

Karen A. Canella  
Signature of person mailing correspondence

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Sir:

This communication is being filed in response to the non-final Office Action mailed September 10, 2003 in connection with the above-identified application. A response to the non-final Office Action was originally due December 10, 2003. As part of this Communication, Applicant is filing a Petition for a Three Month Extension of Time, thereby extending the deadline to file a response to the September 10, 2003 Office Action to March 10, 2003. Accordingly, this response is timely filed.